

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

PAHCHANTZ GREENE,	)	
	)	CIVIL ACTION NO.: 3:24-cv-4189-SAL
PLAINTIFF,	)	
	)	
V.	)	COMPLAINT
	)	(NON-JURY)
UNITED STATES OF AMERICA,	)	
	)	
DEFENDANT.	)	

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**TO THE ABOVE-NAMED DEFENDANT:**

Plaintiff, complaining of the above-named Defendant, would respectfully show unto this Honorable Court as follows:

**PARTIES AND JURISDICTION**

1. Plaintiff Pah-Chantz Greene is a citizen and resident of Kershaw County, South Carolina.
2. Defendant, United States of America, is subject to suit for personal injury caused by the negligent and wrongful acts and omissions of employees of the Government while acting within the course and scope of their office or employment, under the circumstances where the Defendant, if a private person, would be liable to the Plaintiff, pursuant to the Federal Tort Claims Act, 28 U.S.C. §2671 and §§1331 and §1346(b).
3. At all times relevant, Joseph Jay Chisolm was an employee and/or agent of Defendant, acting within the course and scope of his employment.
4. The incident that is the subject of this complaint took place in Kershaw County, South Carolina.

5. Pursuant to FTCA's requirements, Plaintiff presented her claim via letter on October 19, 2023, to the appropriate federal agency, the United States Postal Service, for administrative settlement under the FTCA requesting \$140,000. USPS responded with a letter on March 27, 2024, confirming that it has received Plaintiff's claim on October 25, 2023. Plaintiff has not received any further correspondence from USPS, and more than six months has passed since USPS received Plaintiff's claim.

### **FACTS**

6. On or about November 10, 2022, Plaintiff was driving westbound on Haile St. in Camden, South Carolina.

7. At the same time, Joseph Jay Chisolm ("Chisolm"), an employee/agent of the United States Postal Service, was acting within the course and scope of his employment, when he operated his motor vehicle approaching Haile St. from 2<sup>nd</sup> Avenue in Kershaw County, South Carolina.

8. Chisolm failed to stop at a stop sign, and turned onto Haile St., causing a collision with Plaintiff's vehicle and Plaintiff's physical injuries and damages.

### **For A First Cause of Action as to All Defendants** **( Negligence / Respondeat Superior)**

9. Plaintiff herein realleges and reiterates all previous paragraphs as if fully set forth in this paragraph in its entirety.

10. Defendant owed a duty to Plaintiff for its employees to operate his vehicle safely, with reasonable care, and in accordance with all laws concerning the operation of a motor vehicle.

11. Chisolm was willful, wanton, reckless, grossly negligent, negligent *per se* and/or negligent and breached the duties he owed to Plaintiff in one or more of the following ways:

- a. in failing to maintain control of his vehicle;
- b. in driving his vehicle in a negligent manner;

- c. in failing to maintain the proper lane;
  - d. in failing to maintain a proper lookout;
  - e. in failing to observe the prevailing traffic conditions;
  - f. in violating the laws, statutes, and ordinances of the State of South Carolina enacted to protect the safety and health of the monitoring public, so as to constitute negligence per se;
  - g. in failing to act as a reasonable and prudent driver would act under the same or similar circumstances;
- and;
- h. in such other particulars as the evidence at trial may show.

12. Chisolm's willful, wanton, reckless, grossly negligent, and/or negligent conduct breached his duties owed to Plaintiff and was the direct and proximate cause of the February 27, 2023, collision described herein.

13. Defendant United States of America is liable for Defendant Joseph Chisolm's willful, wanton, reckless, grossly negligent, and/or negligent acts that occur within the course and scope of his employment and/or agency with the Defendant.

14. As a direct and proximate cause of Defendant's willful, wanton, reckless, grossly negligent, and/or negligent conduct and the breaches of duties owed to Plaintiff, Plaintiff has suffered damages in the form of physical injury and harm, past and future medical expenses, past and future pain and suffering, and the loss of enjoyment of life.

WHEREFORE, Plaintiff demands judgment against Defendant for actual damages, including damages for: property damage, physical injury and harm, past and future medical expenses, past and future physical and mental pain and suffering, past and future loss of enjoyment of life, for the cost of this action, and for any other additional relief this Court deems just and proper.

Dayson Shalabi Burkett Law Firm, LLC

/s/Ramie S. Shalabi

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July 29, 2024  
Columbia, SC